

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

WESTERN SURETY CO.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:18-cv-107 JD
)	
BEAU MITCHELL CORP., et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Western Surety Company filed this indemnification action against four defendants. Two of the defendants (Jodie and Erik Marburger) filed bankruptcy and have since received a discharge. Western Surety thus agrees to the dismissal of its claims against those defendants. A third defendant (William Kindig) is deceased and Western Surety agrees to the dismissal of its claims against that defendant too. [DE 24]. As to the fourth defendant (Beau Mitchell Corporation), Western Surety filed a stipulation of voluntary dismissal. [DE 26].

Consistent with those filings, the claims against Jodie and Erik Marburger are dismissed pursuant to the bankruptcy discharge. The claims against Mr. Kindig and Beau Mitchell are dismissed without prejudice at Western Surety's request. Because that disposes of all pending claims in this action, the Clerk is directed to close this case.

SO ORDERED.

ENTERED: October 24, 2019

/s/ JON E. DEGUILIO
Judge
United States District Court